REMARKS

Claims 1 to 6, 8 to 22 and 24 are pending in the application, of which claims 1 and 13 are independent. Favorable reconsideration and further examination are requested.

In the Office Action, claims 1 to 6 and 8 to 12 were rejected over U.S. Patent No. 6,188,307 (Katsuki); claims 13 and 15 to 22 were rejected over Katsuki in view U.S. Patent Publication No. 2002/0089408 (Walsh); claim 14 was rejected over Katsuki and Walsh in view of U.S. Patent No. D292089 (Smith); and claim 24 was rejected over Katsuki and Walsh in view of U.S. Patent Publication No. 2002/0172259 (Bach).

As shown above, independent claims 1 and 13 specify that the housing has an upper side that completely covers the first electrical component and the second electrical component and that protects the first electrical component and the second electrical component from a contact voltage. The applied art is not understood to disclose or to suggest this feature of the claims.

As we understand it, Katsuki's insulating case 21, which was equated to the claims' housing[1], does not completely cover the first electrical component and the second electrical component. More specifically, as shown in Figs. 5 and 7 of Katsuki (reproduced below), case 21 includes two cavities 21a and 21b.

[1] Office Action, page 2

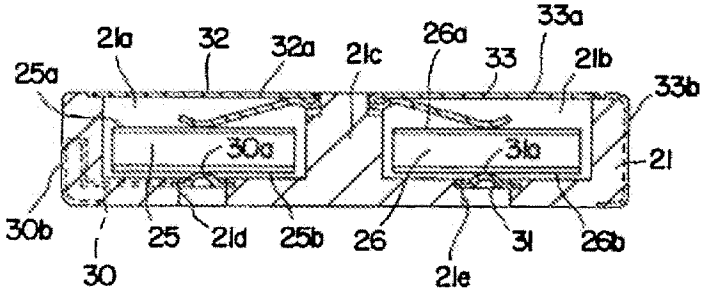

FIG.5

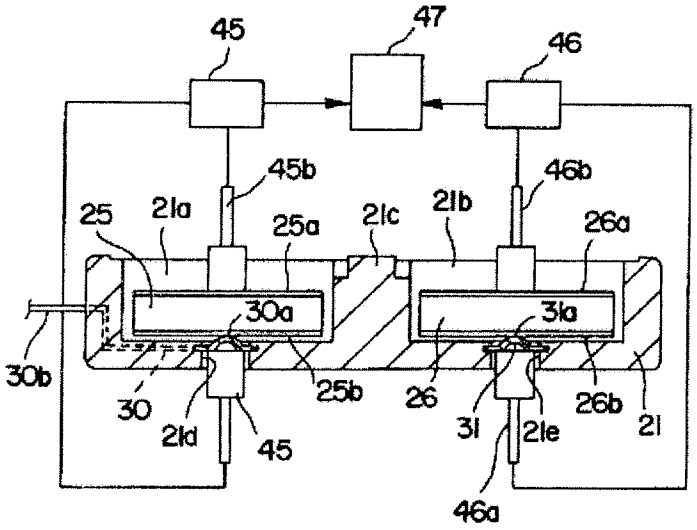

FIG.7

As previously explained, cavities 21a and 21b are formed so that they are externally accessible, and do not completely cover the components. The reason for forming the cavities relates to trimming and measuring trimming resistance, as is described in the following excerpt from column 6, lines 21 through 57:

The thermistor devices 25 and 26 are inserted horizontally into the cavities 21a and 21b of the case 21, as shown in FIG. 7. One measuring terminal 45a of a resistance measuring instrument 45 is inserted into a first hole 21d of the case 21 to touch a first protruding terminal 30. The other measuring terminal 45b is also inserted into a first cavity 21a to touch the first spring electrode 25a. In the same way, one measuring terminal 46a of a second resistance measuring instrument 46 touches a second protruding terminal 31 and the other measuring terminal 46b touches a second electrode 26a. Then the resistances of the thermistor devices 25 and 26 are measured at the same time to avoid adverse effects caused by a change in the ambient temperature on resistance measurement and a minute change by aging of the resistance measuring instruments 45 and 46. Therefore, the difference in resistance between the two thermistor devices 25 and 26 is accurately measured to conduct accurate trimming in a subsequent process.

The measured, accurate resistance data is sent to a calculation processing unit 47 and an electrode area to be removed from whichever has a lower resistance between the two thermistor devices 25 and 26 (in the second embodiment, the left thermistor device 25 as shown in FIG. 4) is calculated from the resistance difference between the two thermistor devices. Then, according to the electrode area to be removed, a drive signal is sent from the calculation processing unit 47 to a laser trimming unit 50. The laser trimming unit 50 emits a laser beam L to trim the thermistor device 25, which has a lower resistance. In other words, a part of the electrode 25a, which is exposed through the opening portion of the cavity 21a, is removed and the whole area of the electrode is reduced by the specified area. The thermistor device 25 in which part of the electrode 25a has been removed has a higher resistance than before, the higher resistance being substantially the same as that of the other thermistor device 26.

The Office Action appears to recognize that insulating case 21 does not completely cover the first electrical component and the second electrical component and protect the first electrical component and the second electrical component from a contact voltage.[2] In particular, the Office Action states the following:

[2] Office Action, page 9

Response to Arguments

Applicant's arguments filed 12/29/2008 have been fully considered but they are not persuasive.

Examiner points out that the Katsuki reference does disclose the limitation of "wherein the housing has an upper side....from a contact voltage." Col. 5 lines 66-67 show that the housing 21 can my covered by another lid to increase the seal at the openings of the cavities, which will completely cover the first electrical component and the second electrical component. See above rejection. [3]

Based on this excerpt, it appears that the Office Action is relying on the lid described in column 5 for allegedly disclosing covering the first electrical component and the second electrical component and protecting the first electrical component and the second electrical component from a contact voltage. We respectfully disagree with this characterization of Katsuki. More specifically, both claims 1 and 13 recite that *the housing* (which holds the electrical components) has an upper side that completely covers the first electrical component and the second electrical component and that protects the first electrical component and the second electrical component from a contact voltage. In the case of Katsuki, the Office Action equates the housing to insulating case 21. The additional lid, which is described in column 5, is not part of the housing, but rather an addition thereto. Since the lid is not part of the housing, we respectfully submit that Katsuki does not disclose or suggest a housing that has the claimed characteristics.

[3] Id. See also, Office Action, pages 3, 5 and 6

Walsh was cited for its disclosure of circuitry that can be incorporated into Katsuki's assembly[4], and is not understood to remedy the foregoing deficiencies of Katsuki vis-à-vis independent claims 1 and 13. Accordingly, these claims are believed to define over the art.

Dependent claims are also believed to define patentable features. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, we respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

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[4] Office Action, page 6

Please apply any charges or credits, which are not otherwise paid, to deposit account no. 06-1050.

Respectfully submitted,

Date: June 2, 2009

/Paul Pysher/

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